

Appl. No. 10/824,122  
Docket No. 9523  
Response dated August 15, 2006  
Reply to Office Action mailed on May 15, 2006  
Customer No. 27752

### AMENDMENTS TO THE DRAWINGS

The Office Action objected to the drawings under 37 CFR 1.83(a) as failing to show a first elastic and a second elastic, having first and second ends as described in the specification. (Office Action, page 3, lines 6-7.) The Applicant respectfully submits that Figure 1, as originally filed, shows elastics 52 and 54 with first and second ends as object lines. However, Figure 1, as originally filed shows elastics 42 and 44 with first and second ends as hidden lines.

Due to the objection described above, the Office Action requested corrected drawings. In response to this request, the Applicant submits herewith, a replacement sheet bearing an amended Figure 1. Figure 1, as currently amended, now shows an enlarged cut-away including elastics 42 and 44 with first and second ends as object lines. The Applicant respectfully requests reconsideration and withdrawal of the objection described above, and acceptance of the drawings.

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### REMARKS

#### Claim Status

Claims 1-13 and 15-17 are pending. Claim 14 is canceled. Claims 1-13 and 15-17 stand rejected under § 102. No claims are amended. No claims are added.

#### Restriction Requirement

The Office Action has required election of a single disclosed invention for prosecution on the merits. Pursuant to this requirement, Applicants hereby elect to prosecute the invention designated in the Office Action as species I. Claims 1-13 and 15-17 are drawn to this invention. This election is made without traverse. Claim 14, which is drawn to the invention of species II, is canceled.

#### Rejections Under 35 USC § 102(b) Over St. Louis.

Claims 1-13 and 15-17 are rejected under 35 USC § 102(b) as being anticipated by St. Louis, et al. (U.S. 5,993,433). The Applicant does not admit that any characterization by the Office Action regarding these rejections is correct, but discusses such characterizations herein for the sake of argument. The Applicant traverses the rejections of the pending claims under 35 USC § 102 over the St. Louis reference for the reasons discussed below.

Independent claim 1, as originally presented, recites in part a dual cuff "enclosed by said cuff bond." The Office Action cited a gusset-flap member 19 and a gusset attachment 172, as shown in Figure 6 of the St. Louis reference, against the above-cited portion of the Applicant's claim 1. (Office Action, page 5, lines 2-4.) From the Applicant's review, the St. Louis reference does not appear to disclose that the gusset attachment 172 "encloses" the gusset-flap member 19, as recited in part in the Applicant's claim 1. Instead, the exact relationship between the gusset attachment 172 and the gusset-flap member 19 seems unclear, since these elements are shown as separated in Figure 6 of the St. Louis reference. For this reason, the Applicant asserts that the St. Louis reference does not disclose each and every element of the Applicant's independent claim 1. As a result, the Applicant respectfully requests reconsideration and withdrawal of the 102(b) rejection for independent claim 1 and for the claims which depend therefrom.

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Independent claim 1, as originally presented, recites in part an embodiment wherein a "first elastic is secured to said first cuff near said first and second ends" and a "second elastic is secured to said second cuff near said first and second ends." The Office Action cited base elastomeric member 68a, elastomeric members 138, and Figure 6 of the St. Louis reference, against the above-cited portion of the Applicant's claim 1. (Office Action, page 5, lines 5-10.) From the Applicant's review, the St. Louis reference does not appear to disclose that the elastomeric members 68a or 138 are secured near their "first and second ends," as recited in part in the Applicant's claim 1. By contrast, the Office Action appears to take the position that a cross-sectional view, such as Figure 6 of the St. Louis reference, fails to show the ends of the sectioned objects. (Office Action, page 3, lines 5-7.) For this reason, the Applicant asserts that the St. Louis reference does not disclose each and every element of the Applicant's independent claim 1. As a result, the Applicant respectfully requests reconsideration and withdrawal of the 102(b) rejection for independent claim 1 and for the claims which depend therefrom.

Independent claim 15, as originally presented, recites an embodiment wherein a "first elastic is secured to said first cuff near said first and second ends" and a "second elastic is secured to said second cuff near said first and second ends." As described above, from the Applicant's review, the St. Louis reference does not appear to disclose that the elastomeric members 68a or 138 are secured near their "first and second ends," as recited in part in the Applicant's claim 15. As a result, the Applicant respectfully requests reconsideration and withdrawal of the 102(b) rejection for independent claim 15 and for the claims which depend therefrom.

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Conclusion

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, entry of the amendments presented herein, and allowance of Claims 1-13 and 15-17 is respectfully requested.

Respectfully submitted,

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